

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 28, 1998

DIVISION ONE

B123929 Acapulco Restaurants, Inc. (Certified for Publication)
 v.
 Alcoholic Beverage Control Appeals Board

The Board's decision affirming the Department's order and the Department's order are both reversed, and the Department is directed to enter a new order withdrawing the accusation. Acapulco is entitled to its costs of these writ proceedings.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
 Masterson, J.

B125285 Mckelvey, et al.
 v.
 Boeing North American, Inc., et al.

B125298 Aurness, et al.
 v.
 Boeing North American, Inc., et al.

Filed order consolidating above captioned appeals.

October 28, 1998-Continued

DIVISION TWO

B119514 People v. Stancil (Not for Publication)

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

B120173 Eastern Beach Group, et al. (Not for Publication)
v.
City of Long Beach

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Zebrowski, J.

B108458 Century West Financial (Not for Publication)
v.
6420 Wilshire Assoc.

The judgment is affirmed.

Boren, P.J.

We concur: Fukuto, J.
Zebrowski, J.

October 28, 1998-Continued

DIVISION TWO (Continued)

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

B121152 Zeron (Certified for Publication)
v.
City of Los Angeles, et al.

The judgment of the trial court is reversed. The matter is remanded for proceedings consistent with this opinion.

Nott, J.

We concur: Boren, P.J.
 Fukuto, J.

DIVISION THREE

B112801 People (Not for Publication)
v.
Marcellus Bates

The judgment is affirmed.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Goodman, J. (Assigned)

October 28, 1998-Continued

DIVISION THREE (Continued)

B117465 People (Not for Publication)
v.
Bernard Johnson

The judgment is affirmed.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Goodman, J. (Assigned)

B113005 People (Not for Publication)
v.
Demetrius Franklin

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B114485 People (Not for Publication)
v.
Curtis Biddle

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Goodman, J. (Assigned)

DIVISION FOUR

B114354 Jackson (Not for Publication)
v.
Paramount Pictures Corporation, et al.

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B117855 Accurate Component Engineering (Not for Publication)
v.
Haag

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

[illegible]

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

October 28, 1998-Continued

DIVISION FOUR (Continued)

[illegible]

The Court:

The judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B122162 People (Not for Publication)
v.
Sigala

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B120900 People v. Sarate (Not for Publication)

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

October 28, 1998-Continued

DIVISION FOUR (Continued)

B115585 People (Not for Publication)
v.
Gammage

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Cooper (F.M.), J. (Assigned)

B116764 People (Not for Publication)
v.
Tutt

The judgment is modified to reflect the precommitment credit award is 153 days, and, as modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment in accordance with this opinion.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Cooper (F.M.), J. (Assigned)

DIVISION SIX

Court convened at 9:00 A.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B111730 Scott
v.
Corman

Appearances:
Argument previously waived for appellant and argument waived by Brian H. Clausen for respondent. Cause submitted.

DIVISION SIX (Continued)

B118210 Hopps
 v.
 Regents of the University of California

Merits:
Argued by Robert C. Hopps, appellant appearing in propria persona, and by Karen K. Peabody for respondent. Cause submitted.

B116313 Henry
 v.
 Workers Compensation Appeals Board

Review:
Presented by Allan S. Ghitterman for petitioner and by W. Peter Godfrey for respondent LWP Services. Presentation previously waived by respondent Workers' Compensation Appeals Board. Cause submitted.

B120178 Pena
 v.
 Scalice

Merits:
Argued by Chad Weaver for appellant and by Christopher E. Hahn for respondent. Cause submitted.

B120314 Duggan
 v.
 Rode

Merits:
Argued by Scott B. Campbell for appellant and by Glenn L. Robertson for respondent. Cause submitted.

DIVISION SIX (Continued)

B117600 Van Patter
 v.
 Santa Barbara County

Merits:
Argued by Paul F. Sowa for appellant and by Stephen D. Underwood,
County Counsel, for respondent. Cause submitted.

B119957 Trevor
 v.
 Santa Barbara County Employment Retirement System

Merits:
Argued by Russell R. Ghitterman for appellant and by David L. Allen,
Deputy County Counsel, for respondent. Cause submitted.

B118726 The Chase Manhattan Bank
 v.
 Bagdasarian

Merits:
Argued by Richard I. Wideman for appellant and by C. Stephen Howard for
respondent. Cause submitted.

Court adjourned at 3:30 P.M.

B118004 David D.
 v.
 Terry C.

Filed order modifying opinion. Petition for rehearing is denied. (No
change in the judgment)

October 28, 1998-Continued

DIVISION SIX (Continued)

B103656 People
v.
Rose

Filed order vacating submission order of 8-13-98, pending resolution of the petition for writ of habeas corpus in case number B125415 filed herein.

B119717 People (Not for Publication)
v.
Hickman

The judgment (order of commitment) is affirmed.

Coffee, J.

We concur: Gilbert, Acting P.J.
Yegan, J.

B123704 People (Not for Publication)
v.
Lee

The judgment (order of commitment) is affirmed.

Stone, P.J.

We concur: Gilbert, J.
Yegan, J.

October 28, 1998-Continued

DIVISION SIX (Continued)

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The judgment is affirmed.

Stone, P.J.

We concur: Yegan, J.
Coffee, J.

B120942 People v. Rogers

(Not for Publication)

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.

B115083 Castellanos (Not for Publication)
v.
Schardt

The judgment is affirmed. Appellant shall bear costs on appeal.

Stone, P.J.

We concur: Yegan, J.
Coffee, J.

October 28, 1998-Continued

DIVISION SEVEN

B117316 People v. Sparks (Not for Publication)

Appellant's conviction is affirmed; sentence is vacated, and the case is remanded to the trial court for resentencing consistent with this opinion.

Neal, J.

We concur: Lillie, P.J.
Johnson, J.